

SENATE BILL 702

F2
SB 822/09 – B&T

0lr2602

By: **Senators Rosapepe, Astle, Currie, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, and Stone**

Introduced and read first time: February 10, 2010
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Tuition Cap and College Opportunity Act of 2010**

3 FOR the purpose of requiring the Maryland Higher Education Commission to appoint
4 a certain group to assess and report annually on meeting certain goals so that
5 certain institutions are comparable and competitive; requiring the Commission
6 to assess annually the State's and an institution's progress toward certain goals
7 and to display the progress in an online format; requiring the Commission to
8 update periodically certain information for certain purposes; requiring the State
9 to provide certain General Fund support for the University System of Maryland
10 and Morgan State University; requiring the State to set certain funding at
11 certain levels as compared to a group of peer institutions in certain states;
12 limiting the amount of the annual increase in tuition and fees that may be
13 charged each academic year for certain students under certain circumstances;
14 requiring the Governor to include in the annual budget submission for certain
15 fiscal years a certain amount of State General Fund support for the University
16 System of Maryland and Morgan State University; requiring additional State
17 funds be used for certain priorities; requiring the Governor to include in the
18 annual budget submission supplemental funding to certain institutions to be
19 used for certain purposes; requiring performance accountability plans to include
20 graduation rates as the primary indicator of performance for certain
21 institutions; requiring the Board of Regents of the University System of
22 Maryland to submit a biannual report beginning on a certain date regarding
23 certain policies and procedures; establishing a Tuition Stabilization Trust
24 Account within the Higher Education Investment Fund; providing for the
25 purpose of the Account; providing for the source of funds for the Account;
26 providing for a certain amount of funds to be held in the Account; providing for
27 the appropriation of certain funds from the Account to certain institutions for
28 certain purposes; authorizing a governing board to develop a pilot tuition plan

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 for certain purposes, subject to certain restrictions; requiring the Commission to
 2 develop and implement a graduated scale for certain grants based on certain
 3 criteria; modifying a certain award amount for a certain scholarship program;
 4 reauthorizing the Higher Education Investment Fund; requiring the
 5 Commission to modify certain grants based on certain criteria; declaring the
 6 intent of the General Assembly; requiring certain reports be submitted to the
 7 General Assembly on or before certain dates; defining certain terms; and
 8 generally relating to State support for and tuition at higher education
 9 institutions in Maryland.

10 BY repealing and reenacting, without amendments,
 11 Article – Education
 12 Section 10–203(a)
 13 Annotated Code of Maryland
 14 (2008 Replacement Volume and 2009 Supplement)

15 BY repealing and reenacting, with amendments,
 16 Article – Education
 17 Section 11–105(f)(1) and (h), 11–305, 15–106.6, and 18–304(a) and (b)(1)
 18 Annotated Code of Maryland
 19 (2008 Replacement Volume and 2009 Supplement)

20 BY adding to
 21 Article – Education
 22 Section 11–108, 12–117, and 15–106.8
 23 Annotated Code of Maryland
 24 (2008 Replacement Volume and 2009 Supplement)

25 BY repealing and reenacting, with amendments,
 26 Article – Tax – General
 27 Section 2–613.1
 28 Annotated Code of Maryland
 29 (2004 Replacement Volume and 2009 Supplement)

30 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 31 MARYLAND, That the Laws of Maryland read as follows:

32 **Article – Education**

33 10–203.

34 (a) It is the goal of the State that public senior higher education institutions
 35 be funded at 100 percent of funding guidelines developed by the Maryland Higher
 36 Education Commission.

37 11–105.

38 (f) (1) The Commission is responsible for:

1 (i) Developing a program of desegregation and equal
2 educational opportunity, including developing an enhancement plan, for historically
3 African American colleges and universities;

4 (ii) Monitoring the progress made under, and assuring
5 compliance with, the goals, measures, and commitments contained in the
6 desegregation and equal education opportunity plan;

7 (iii) Making recommendations concerning needed resources for
8 achieving the goals and objectives under this subsection;

9 (iv) Requiring reports from each governing board concerning
10 progress toward equal opportunity in all activities and programs under its jurisdiction;
11 [and]

12 (v) **APPOINTING A GROUP OF INDEPENDENT ADVISERS TO**
13 **ASSESS AND REPORT ANNUALLY TO THE COMMISSION ON THE PROGRESS OF**
14 **THE STATE AND THE HISTORICALLY AFRICAN AMERICAN COLLEGES AND**
15 **UNIVERSITIES ON MEETING THE GOALS TO ENSURE COMPARABILITY AND**
16 **COMPETITIVENESS OF THE HISTORICALLY AFRICAN AMERICAN COLLEGES AND**
17 **UNIVERSITIES; AND**

18 **[(v)] (VI) Reporting ANNUALLY to the Governor and, subject to**
19 **§ 2-1246 of the State Government Article, the General Assembly regarding the**
20 **progress of compliance with desegregation and equal education opportunity plans**
21 **BASED ON THE REPORT FROM THE GROUP OF INDEPENDENT ADVISERS TO THE**
22 **COMMISSION.**

23 (h) The Commission:

24 (1) May secure, compile, and evaluate information on any matter
25 within its authority, in the format it requires, from any person, agency, regional
26 higher education center, or institution subject to its authority;

27 (2) May engage in research, data compilation, and publication of
28 reports concerning postsecondary education in the State;

29 (3) Through its representatives, may visit at any reasonable times and
30 make reasonable inspections of any institution of postsecondary education or regional
31 higher education center subject to its authority;

32 (4) In consultation with the segments of higher education, shall
33 develop guidelines to assess the adequacy of operating and capital funding based on
34 comparisons with institutions designated as peer institutions and other appropriate
35 factors; [and]

1 (5) In consultation with the Department of Budget and Management,
2 annually shall make recommendations consistent with the Charter and the plan under
3 subsection (b) of this section on the appropriate level of funding for higher education;

4 (6) ON OR BEFORE DECEMBER 1 OF EACH YEAR, SHALL CONDUCT
5 ANNUAL ASSESSMENTS FOR EACH INSTITUTION OF HIGHER EDUCATION AND
6 FOR THE STATE IN THE AGGREGATE THAT SHALL:

7 (I) MEASURE THE PROGRESS TOWARD MEETING THE
8 FUNDING GOALS SET FORTH IN § 11-108 OF THIS SUBTITLE;

9 (II) MEASURE THE PERFORMANCE OF INSTITUTIONS OF
10 HIGHER EDUCATION; AND

11 (III) SHOW THE PROGRESS MADE TOWARD THE GOALS IN AN
12 ONLINE FORMAT THAT IS EASILY ACCESSIBLE AND UNDERSTOOD; AND

13 (7) SHALL UPDATE PERIODICALLY THE LIST OF COMPETITOR
14 STATES USED TO DETERMINE THE FUNDING GOALS IN § 11-108 OF THIS
15 SUBTITLE.

16 11-108.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
18 MEANINGS INDICATED.

19 (2) "COMPARABLE INSTITUTIONS" MEANS A GROUP OF PEER
20 INSTITUTIONS HAVING SIMILAR ACADEMIC SCOPE, COMPARABLE SIZE, AND A
21 SIMILAR STUDENT FINANCIAL PROFILE.

22 (3) "COMPETITOR STATES" MEANS STATES WITH WHICH
23 MARYLAND PRINCIPALLY COMPETES FOR EMPLOYERS, AS DETERMINED BY THE
24 MARYLAND HIGHER EDUCATION COMMISSION IN CONSULTATION WITH THE
25 DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT.

26 (4) "PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS" MEANS:

27 (I) THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY
28 SYSTEM OF MARYLAND; AND

29 (II) MORGAN STATE UNIVERSITY.

30 (B) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE STATE SHALL
31 PROVIDE GENERAL FUND SUPPORT FOR THE UNIVERSITY SYSTEM OF

1 MARYLAND AND MORGAN STATE UNIVERSITY TO ACHIEVE 100% OF THE
2 FUNDING GUIDELINES DEVELOPED BY THE COMMISSION.

3 (c) (1) BY 2021, MARYLAND HIGHER EDUCATION FUNDING SHALL
4 REACH A LEVEL OF HIGH STATE INVESTMENT AND MODERATE TUITION, AND
5 PROGRESS TOWARD MEETING THESE GOALS SHALL BE ASSESSED ANNUALLY IN
6 ACCORDANCE WITH § 11-105(H)(6) OF THIS SUBTITLE.

7 (2) (i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (ii) OF THIS
8 PARAGRAPH, THE STATE SHALL SET STATE FUNDING OF THE PUBLIC SENIOR
9 HIGHER EDUCATION INSTITUTIONS AT THE 75TH PERCENTILE OF FUNDING PER
10 STUDENT AT COMPARABLE INSTITUTIONS LOCATED IN COMPETITOR STATES.

11 (ii) THE STATE SHALL SET STATE FUNDING OF PUBLIC
12 HISTORICALLY AFRICAN AMERICAN COLLEGES AND UNIVERSITIES AT THE 80TH
13 PERCENTILE OF FUNDING PER STUDENT AT COMPARABLE INSTITUTIONS
14 LOCATED IN COMPETITOR STATES.

15 (3) (i) THE STATE SHALL SET GROSS IN-STATE TUITION AND
16 FEES AT PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS AT OR BELOW THE
17 50TH PERCENTILE OF GROSS TUITION AND FEES AT COMPARABLE
18 INSTITUTIONS LOCATED IN COMPETITOR STATES.

19 (ii) EXCEPT AS PROVIDED IN SUBPARAGRAPH (iii) OF THIS
20 PARAGRAPH, THE STATE SHALL LIMIT INCREASES IN TUITION AND FEES IN ANY
21 GIVEN YEAR TO THE INCREASE IN THE 3-YEAR ROLLING AVERAGE OF THE
22 STATE'S MEDIAN FAMILY INCOME.

23 (iii) THE TUITION AND FEE LIMITATION IN SUBPARAGRAPH
24 (ii) OF THIS PARAGRAPH APPLIES ONLY IF:

25 1. THE PUBLIC SENIOR HIGHER EDUCATION
26 INSTITUTIONS HAVE RECEIVED A GENERAL FUND APPROPRIATION MEETING
27 THE REQUIREMENTS OF THIS SECTION; AND

28 2. THE BOARD OF PUBLIC WORKS DOES NOT
29 REDUCE FUNDING FOR THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS.

30 (d) (1) FOR EACH OF FISCAL YEARS 2013 THROUGH 2020, THE
31 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AT LEAST THE
32 AMOUNT OF STATE GENERAL FUND SUPPORT NECESSARY FOR THE
33 CONSTITUENT INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND IN
34 TOTAL TO ACHIEVE:

- 1 (I) 67% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
2 2013;
- 3 (II) 71% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
4 2014;
- 5 (III) 75% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
6 2015;
- 7 (IV) 79% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
8 2016;
- 9 (V) 83% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
10 2017;
- 11 (VI) 87% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
12 2018;
- 13 (VII) 91% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
14 2019; AND
- 15 (VIII) 95% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
16 2020.

17 (2) FOR EACH OF FISCAL YEARS 2013 THROUGH 2020, THE
18 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AT LEAST THE
19 AMOUNT OF STATE GENERAL FUND SUPPORT NECESSARY FOR MORGAN STATE
20 UNIVERSITY TO ACHIEVE:

- 21 (I) 71% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
22 2013;
- 23 (II) 75% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
24 2014;
- 25 (III) 79% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
26 2015;
- 27 (IV) 83% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
28 2016;
- 29 (V) 87% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
30 2017;

1 (VI) 91% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
2 2018;

3 (VII) 95% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
4 2019; AND

5 (VIII) 99% OF THE FUNDING GUIDELINE FOR FISCAL YEAR
6 2020.

7 (3) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER,
8 THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AT LEAST THE
9 AMOUNT OF STATE GENERAL FUND SUPPORT NECESSARY FOR THE PUBLIC
10 SENIOR HIGHER EDUCATION INSTITUTIONS TO ACHIEVE 100% OF THE FUNDING
11 GUIDELINE.

12 (E) UNDERGRADUATE EDUCATION CAPACITY AT HISTORICALLY
13 AFRICAN AMERICAN COLLEGES AND UNIVERSITIES SHALL BE THE FIRST
14 PRIORITY FOR ADDITIONAL STATE FUNDING PROVIDED UNDER THE FUNDING
15 GUIDELINES.

16 (F) (1) IN RECOGNITION OF THE CONSIDERABLE REMEDIATION
17 EFFORT AND CONTINUING STUDENT SUPPORT DEMANDED OF HISTORICALLY
18 AFRICAN AMERICAN COLLEGES AND UNIVERSITIES AT THE UNDERGRADUATE
19 LEVEL, THE GOVERNOR SHALL PROVIDE AN AMOUNT OF SUPPLEMENTAL
20 FUNDING TO THE HISTORICALLY AFRICAN AMERICAN COLLEGES AND
21 UNIVERSITIES IN THE ANNUAL BUDGET BILL.

22 (2) THE FUNDING SHALL BE SPENT ONLY FOR REMEDIATION
23 EFFORTS AND FOR STRATEGIES AND INITIATIVES THAT HAVE PROVEN TO BE
24 BEST PRACTICES IN IMPROVING GRADUATION RATES.

25 (3) THE SUPPLEMENTAL FUNDING SHALL REPLACE THE ACCESS
26 AND SUCCESS PROGRAM.

27 11-305.

28 Performance accountability plans developed under this subtitle shall:

29 (1) Be based on the institutional mission statement and shall include
30 a statement of the outcomes which each institution expects to achieve;

31 (2) Include multiyear studies which shall include quantifiable indices
32 of student academic performance and development including graduation and retention
33 rates and the results of academic program reviews;

1 (3) Identify institutional performance objectives appropriate to the
 2 mission of the institution in addition to those related to student learning and include
 3 reports based on regional and professional accreditation and certification;

4 (4) In the case of senior public higher education institutions, designate
 5 a set of peer institutions to which the institution's performance will be compared;
 6 [and]

7 (5) Make provision for improvements, as needed, as a result of the
 8 performance accountability report; AND

9 (6) IN THE CASE OF HISTORICALLY AFRICAN AMERICAN
 10 COLLEGES AND UNIVERSITIES:

11 (I) DESIGNATE GRADUATION RATE AS THE PRIMARY
 12 INDICATOR OF PERFORMANCE; AND

13 (II) IF THE INSTITUTION RECEIVES SUPPLEMENTAL
 14 FUNDING DEVELOPED UNDER § 11-108(F) OF THIS TITLE, PROVIDE
 15 MEASURABLE GOALS, INCLUDING GRADUATION RATES, AND REPORT RESULTS
 16 AGAINST THOSE GOALS.

17 12-117.

18 (A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
 19 UNIVERSITY SYSTEM OF MARYLAND IMPROVE ITS EFFECTIVENESS AND
 20 EFFICIENCY AND REDUCE ITS COST STRUCTURE BY BECOMING THE NATIONAL
 21 LEADER IN TRANSFORMING THE BUSINESS MODEL OF PUBLIC HIGHER
 22 EDUCATION TO PROVIDE WORLD-CLASS EDUCATION, RESEARCH, AND PUBLIC
 23 SERVICE AT BELOW AVERAGE COSTS.

24 (B) ON OR BEFORE NOVEMBER 1, 2010, AND ON NOVEMBER 1 EVERY
 25 SECOND YEAR THEREAFTER, THE BOARD OF REGENTS SHALL SUBMIT, IN
 26 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, A REPORT
 27 ON THE POLICIES AND PROCEDURES IT HAS IMPLEMENTED IN ACCORDANCE
 28 WITH SUBSECTION (A) OF THIS SECTION TO THE HOUSE APPROPRIATIONS
 29 COMMITTEE, THE HOUSE WAYS AND MEANS COMMITTEE, THE SENATE
 30 BUDGET AND TAXATION COMMITTEE, AND THE SENATE EDUCATION, HEALTH,
 31 AND ENVIRONMENTAL AFFAIRS COMMITTEE OF THE GENERAL ASSEMBLY.

32 15-106.6.

33 (a) (1) In this section the following words have the meanings indicated.

34 (2) "Fund" means the Higher Education Investment Fund.

1 **(3) “TRUST ACCOUNT” MEANS THE TUITION STABILIZATION**
2 **TRUST ACCOUNT.**

3 **[(3)] (4)** “Tuition” means the charges and fees approved by the
4 governing board of a public senior higher education institution which are required of
5 all undergraduate resident students by the institution as a condition of enrollment
6 regardless of the student’s degree program, field of study, or selected courses.

7 (b) (1) There is a Higher Education Investment Fund.

8 (2) The purpose of the Fund is to:

9 (i) Invest in public higher education and workforce
10 development; and

11 (ii) Keep tuition affordable for Maryland students and families.

12 (3) The Fund is a special, nonlapsing fund that is not subject to §
13 7–302 of the State Finance and Procurement Article.

14 (4) The Treasurer shall hold the Fund and the Comptroller shall
15 account for the Fund.

16 (5) The proceeds of the Fund shall be invested and reinvested.

17 (6) Any investment earnings shall be paid into the Fund.

18 (7) The Fund consists of:

19 (i) Money appropriated in the State budget for the Fund; and

20 (ii) Any other money from any other source accepted for the
21 benefit of the Fund.

22 (8) The Commission shall administer the Fund.

23 (9) Money in the Fund may be expended only:

24 (i) To supplement General Fund appropriations to public senior
25 higher education institutions and research institutes of the University System of
26 Maryland;

27 (ii) For capital projects for public senior higher education
28 institutions and research institutes of the University System of Maryland;

1 (iii) For workforce development initiatives administered by the
2 Commission; and

3 (iv) For initiatives to address higher education needs related to
4 the United States Department of Defense Base Realignment and Closure process.

5 (10) Expenditures from the Fund may be made only in accordance with
6 an appropriation approved by the General Assembly in the annual State budget.

7 **(C) (1) WITHIN THE FUND THERE IS A TUITION STABILIZATION**
8 **TRUST ACCOUNT.**

9 **(2) (I) THE TRUST ACCOUNT IS ESTABLISHED TO RETAIN**
10 **REVENUES FOR STABILIZING TUITION COSTS FOR STUDENTS.**

11 **(II) IN YEARS OF INCREASING CORPORATE TAX REVENUES,**
12 **FUNDS SHALL BE DEPOSITED INTO THE TRUST ACCOUNT AND, IN YEARS OF**
13 **DECREASING REVENUES, FUNDS SHALL BE USED TO STABILIZE TUITION.**

14 **(3) THE TRUST ACCOUNT CONSISTS OF:**

15 **(I) MONEY APPROPRIATED IN THE STATE BUDGET FOR**
16 **THE TRUST ACCOUNT; AND**

17 **(II) ANY OTHER MONEY FROM ANY OTHER SOURCE**
18 **ACCEPTED FOR THE BENEFIT OF THE TRUST ACCOUNT.**

19 **(4) A BALANCE OF BETWEEN 1% AND 5% OF TOTAL TUITION**
20 **REVENUES RECEIVED BY PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS IN**
21 **THE PRIOR FISCAL YEAR SHOULD BE MAINTAINED IN THE TRUST ACCOUNT.**

22 **(5) MONEY IN THE TRUST ACCOUNT MAY BE EXPENDED ONLY TO**
23 **SUPPLEMENT GENERAL FUND APPROPRIATIONS TO PUBLIC SENIOR HIGHER**
24 **EDUCATION INSTITUTIONS FOR THE PURPOSE OF STABILIZING TUITION COSTS**
25 **OF STUDENTS.**

26 **15-106.8.**

27 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
28 **MEANINGS INDICATED.**

29 **(2) "ACADEMIC YEAR" HAS THE MEANING STATED IN § 15-106.5**
30 **OF THIS SUBTITLE.**

31 **(3) "GOVERNING BOARD" MEANS:**

1 **(I) THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM**
2 **OF MARYLAND;**

3 **(II) THE BOARD OF REGENTS OF MORGAN STATE**
4 **UNIVERSITY; AND**

5 **(III) THE BOARD OF TRUSTEES OF ST. MARY'S COLLEGE OF**
6 **MARYLAND.**

7 **(4) "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION" HAS THE**
8 **MEANING STATED IN § 10–101 OF THIS ARTICLE.**

9 **(5) "TUITION" HAS THE MEANING STATED IN § 15–106.5 OF THIS**
10 **SUBTITLE.**

11 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GOVERNING**
12 **BOARD MAY DEVELOP A PILOT LONG–TERM TUITION PLAN FOR A PUBLIC**
13 **SENIOR HIGHER EDUCATION INSTITUTION.**

14 **(C) THE PURPOSE OF THE PILOT LONG–TERM TUITION PLAN IS TO**
15 **ENSURE THAT THE FOLLOWING INDIVIDUALS ARE INFORMED OF THE TUITION**
16 **THAT WILL BE CHARGED FOR 4 ACADEMIC YEARS OF ENROLLMENT AT A PUBLIC**
17 **SENIOR HIGHER EDUCATION INSTITUTION:**

18 **(1) A RESIDENT UNDERGRADUATE STUDENT WHO ENROLLS IN**
19 **THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION; AND**

20 **(2) AN INDIVIDUAL WHO APPLIES FOR ADMISSION TO THE PUBLIC**
21 **SENIOR HIGHER EDUCATION INSTITUTION.**

22 **(D) BEFORE THE IMPLEMENTATION OF A PILOT LONG–TERM TUITION**
23 **PLAN BY A GOVERNING BOARD, THE GOVERNING BOARD SHALL SUBMIT THE**
24 **PLAN TO THE COMMISSION FOR REVIEW AND APPROVAL.**

25 18–304.

26 (a) (1) Except as provided in § 18–307 of this subtitle, the Office shall
27 determine the amount of each Delegate Howard P. Rawlings Educational Excellence
28 Award based on the financial need of the applicant.

29 (2) In determining the amount of financial need, the Office shall
30 consider regional cost-of-living differences.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Higher
2 Education Commission shall modify the Guaranteed Access Grant under Title 18,
3 Subtitle 3 of the Education Article so that 100% of need is met for students with family
4 incomes of up to 150% of the federal poverty level and that smaller grants are made to
5 students with family incomes between 150% and 200% of the federal poverty level.

6 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the
7 General Assembly to move the sum of the State General Fund appropriation and
8 tuition for institutions in the University System of Maryland, on a per student basis,
9 to at least the average of their peer institutions as determined by the Maryland
10 Higher Education Commission, in order to be consistent with Chapter 246 of the Acts
11 of 1988, which formed the University System of Maryland, and with Chapter 515 of
12 the Acts of 1999, also known as the Larson Commission Act.

13 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the
14 General Assembly to continue to support Maryland's historically African American
15 institutions in accordance with the agreement reached between the State of Maryland
16 and the United States Department of Education, Office of Civil Rights in December
17 2000.

18 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2010.